

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN SERVICES
FAMILY ASSISTANCE DIVISION**

**CHAPTER 1240-1-54
CHILD CARE
FAMILIES FIRST PROGRAM**

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1240-1-54-.01 FAMILIES FIRST CHILD CARE. If child care is required to enable a Families First recipient to accept or hold employment or to engage in employment-related activities, the Department can provide for the cost of child care in either of two ways. The recipient may choose the manner in which child care will be provided, as described in (1) and (2) below, whichever is most advantageous to the AG.

- (1) Deduct the cost of child care from earnings in accordance with 1240-1-50-.16(1)(c)5.(ii); or
- (2) Direct payment to a child care provider for the cost of care (up to established maxima).
- (3) When Families First eligibility is dependent on the deduction of child care from earnings, this will be the method used to provide child care for that individual.
- (4) Families First child care cannot be used for persons not included in the AG (e.g., a grandmother who is the caretaker of children in the AG, but is not herself included in the AG.)

Authority: T.C.A. §§4-5-201 et seq., 71-1-105, Public Acts of 1996, Chapter 950, 45 CFR 255.2 and 255.3, and §1115 of the Social Security Act. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997.

1240-1-54-.02 TRANSITIONAL CHILD CARE COVERAGE.

- (1) Transitional Child Care (TCC) will be provided for a total of eighteen (18) months after Families First case closure. TCC will be provided when:
 - (a) the caretaker has a minimum of forty (40) hours per week in allowable activities, as defined by policy; and
 - (b) the individual's gross wages equal the current federal minimum wage when averaged over the number of hours worked per week; and
 - (c) total family income is below the level established in State transitional child care policies.
 1. This income level will be set at sixty (60) percent of the state median income or higher. TCC will be provided to such families regardless of the reason for case closure, except that TCC will not be provided for cases closed due to non-cooperation with child support. In addition, TCC will be provided even when an otherwise eligible family has not received Families First for three out of the prior six months.

Authority: T.C.A. §§4-5-201 et seq., 71-1-105, 71-3-154(b)(1), 71-3-158, and 42 USCA §1315(a). **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Amendment filed July 5, 2002; effective September 18, 2002. Amendment filed November 24, 2003; effective February 7, 2004.